

MAY 29 2019

AS: USAO2019R00145

UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF MARYLAND

AT BALTIMORE
 CLERK, U.S. DISTRICT COURT
 DISTRICT OF MARYLAND
 DEPUTY

UNITED STATES OF AMERICA)

19 - 1867 BPG

v.)

Criminal No. _____

DAMON DELOATCH,)

Defendant.)

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Jeremy Gates, a Special Agent with the Drug Enforcement Administration ("DEA"),
 being duly sworn, hereby depose and state as follows:

INTRODUCTION

1. I am an investigative or law enforcement officer of the United States, within the meaning of 18 U.S.C. § 2510(7), and am empowered by law to conduct investigations of and make arrests for offenses enumerated in 18 U.S.C. § 2516.

2. I have been a Special Agent with the DEA since October 2000 and am currently assigned to the Baltimore OCDETF Strike Force in FBI Group 5. I received sixteen weeks of formalized training at the United States Justice Department Training Facility, Drug Enforcement Administration Training Academy. During this training, I received detailed training, both academic and practical application, in the areas of informant handling/debriefing, drug packaging, pricing, importation, and trafficking methods. In addition, I received both academic and practical application training in surveillance and counter surveillance techniques/methods. I received legal instruction in federal drug conspiracy laws, preparing drug affidavits, the Controlled Substances Act, Fourth Amendment searches and seizures, Federal Rules of Evidence, and the execution of search warrants. I have received specialized training from the DEA in the conduct of financial investigations, to include the seizing and tracing of assets

derived from the illicit distribution of controlled dangerous substances and have seized assets in several investigations. In addition, I have received specialized training from the DEA in the conduct of internet investigations.

3. I have participated in numerous investigations that have targeted violators of federal and state narcotics laws, and have purchased narcotics in an undercover capacity. I have participated in numerous debriefings of narcotic traffickers, confidential sources, and sources of information.

4. I have been an affiant on federal Title III affidavits (cellular telephones) and a State of Maryland Title III affidavit (cellular telephone). I have been accepted as an expert witness in the United States District Court for the District of Maryland with regard to the interpretation of coded telephone conversations involving drug distribution, the manner and means of heroin traffickers, and the terminology used by those engaged in heroin trafficking.

5. I am familiar with the ways in which narcotic traffickers conduct their business, including methods of importing and distributing narcotics, money laundering, the use of cellular telephones and the internet to facilitate their illegal acts, and the use of numerical codes and code words to conduct drug transactions.

6. I have set forth only those facts that I believe are necessary to establish probable cause in support of this criminal complaint. I have not, however, excluded any information known to me that would defeat a determination of probable cause. The information contained in this affidavit is based upon my personal knowledge, my review of documents and other evidence, and my conversations with other law enforcement officers and other individuals.

7. As explained below, I respectfully submit that there is probable cause to believe that, on or about January 16, 2019, **DAMON DELOATCH**:

A. Did knowingly and intentionally possess with the intent to distribute 10 grams or more of a mixture or substance containing a detectable amount of the fentanyl analogue 4-Anilino-N-phenethylpiperidine, commonly known as "acetyl fentanyl," a Schedule I controlled substance, in violation of 21 U.S.C. §§ 841(a), (b)(1)(B); and

B. Did knowingly and intentionally possess with the intent to distribute 100 grams or more of a mixture or substance containing a detectable amount of the fentanyl analogue 4-Anilino-N-phenethylpiperidine, commonly known as "acetyl fentanyl," a Schedule I controlled substance, and a mixture or substance containing a detectable amount of cocaine base, a Schedule II controlled substance, in violation of 21 U.S.C. §§ 841(a), (b)(1)(A), (b)(1)(C).

PROBABLE CAUSE

8. During the morning of January 16, 2019, law enforcement officers were conducting surveillance of a drug shop operating at the corner of W. Baltimore Street and S. Carrollton Avenue in Baltimore City. Law enforcement observed **Damon DELOATCH** conducting suspected hand-to-hand drug transactions in the rear alley of a sandwich shop located at 1141 W. Baltimore Street. Law enforcement observed **DELOATCH** meet behind the sandwich shop with an unknown black male who handed to **DELOATCH** U.S. currency in bill form in exchange for small items consistent in size and shape with CDS packaged for street-level distribution.

9. Moments after observing the hand-to-hand drug transaction described above, at approximately 10:55 a.m., officers from the Baltimore City Police Department approached **DELOATCH** in the 1100 block of W. Baltimore Street. As officers approached, **DELOATCH** fled. After a brief foot chase, officers apprehended **DELOATCH**. Officers searched

DELOATCH and seized 158 clear gelcaps containing suspected heroin, one clear "trash can" (similar to a gelcap) containing suspected cocaine base, and \$1,143.00 U.S. currency from his person.

10. Subsequent lab testing of a sample of these substances revealed that the 158 gelcaps contained a mixture of acetyl fentanyl and tramadol. Acetyl fentanyl is a Schedule I controlled substance and is an analogue of fentanyl. The 158 gelcaps contained approximately 31 grams of a mixture of acetyl fentanyl and tramadol.

11. Based on my training and experience, I know that possession of 158 gelcaps containing a mixture of acetyl fentanyl and tramadol is indicative of distribution, not personal use. This belief is supported by the observations of law enforcement officers who observed **DELOATCH** conduct suspected hand-to-hand drug transactions before they approached him.

12. In addition to the narcotics and U.S. currency recovered from **DELOATCH's** person, officers recovered keys to an Acura MDX and a Honda Accord from **DELOATCH**. Officers located both vehicles in the 1000 block of Vine Street. Both cars were parked and unoccupied. A Baltimore Police Department officer who is trained to handle a narcotics detection K-9 responded to the scene, along with his K-9 partner, Ryn. K-9 Ryn was certified as a narcotics detection K-9 on May 31, 2011 and has been trained to detect the odor of marijuana, heroin, and cocaine. K-9 Ryn has received continued training and annual recertification since he was first certified in May 2011. K-9 Ryn was most recently recertified on August 7, 2018.

13. K-9 Ryn scanned the outside of the Acura MDX and made a positive alert, indicating the presence of the odor of a controlled dangerous substance that he is trained to detect. Officers searched the Acura MDX and found, inside of the glove compartment, 51 trash

cans of suspected cocaine base and \$1,204 of U.S. currency. Officers also found University of Maryland Medical Center discharge paperwork in the name of Damon **DELOATCH**.

14. K-9 Ryn then scanned the Honda Accord and also made a positive alert, indicating the presence of the odor of a controlled dangerous substance that he is trained to detect. Officers searched the Honda Accord. In the glove compartment, officers located 800 gelcaps of suspected heroin, which was packaged in the same manner as the gelcaps recovered from **DELOATCH**'s person. Also located in the Honda was a vehicle registration, which showed the vehicle being registered to an individual named Charda Carrol and listed an address of 20 Gemini Court, Rosedale, MD. This is the same address associated with Damon **DELOATCH**.

15. Subsequent lab testing of a sample of these substances revealed that the 800 gelcaps contained a mixture of acetyl fentanyl and tramadol, and the 51 clear trash cans contained cocaine base. Acetyl fentanyl is a Schedule I controlled substance and is an analogue of fentanyl. The 800 gelcaps contained approximately 159 grams of a mixture of acetyl fentanyl and tramadol. Cocaine base is a Schedule II controlled substance. The 51 trash cans contained approximately 5 grams of cocaine base.

16. Based on my training and experience, I know that possession of 800 gelcaps containing a mixture of acetyl fentanyl and tramadol and 51 trash cans of cocaine base is indicative of distribution, not personal use.

CONCLUSION

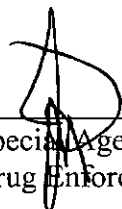
17. Based on the facts outlined in this affidavit, as well as the evidence recovered from **DAMON DELOATCH**'s person and vehicles, I believe that there is probable cause to believe that **DAMON DELOATCH** committed the following federal offenses:

A. Possession with the intent to distribute 10 grams or more of a mixture or substance containing a detectable amount of the fentanyl analogue 4-Anilino-N-phenethylpiperidine, commonly known as "acetyl fentanyl," a Schedule I controlled substance, in violation of 21 U.S.C. §§ 841(a), (b)(1)(B); and

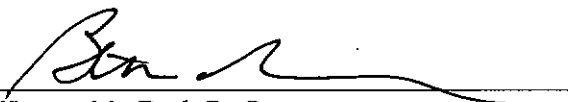
B. Possession with the intent to distribute 100 grams or more of a mixture or substance containing a detectable amount of the fentanyl analogue 4-Anilino-N-phenethylpiperidine, commonly known as "acetyl fentanyl," a Schedule I controlled substance, and a mixture or substance containing a detectable amount of cocaine base, a Schedule II controlled substance, in violation of 21 U.S.C. §§ 841(a), (b)(1)(A), (b)(1)(C).

18. Accordingly, the undersigned respectfully requests that the Court authorize the attached Criminal Complaint for **DAMON DELOATCH**.

I declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge.


Special Agent Jeremy Gates
Drug Enforcement Administration

Subscribed and sworn before me this 29th day of May, 2019.


Honorable Beth P. Gesner
United States Magistrate Judge